

PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 2624**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hisashi SANO

Group Art Unit: 2624

Application No.: 10/577,014

Examiner: R. CHU

Filed: April 28, 2006

Docket No.: 127659

For: AN IMAGE PROCESSING METHOD BASED ON PARTITIONING OF IMAGE DATA, IMAGE PROCESSING DEVICE BASED ON PARTITIONING IMAGE DATA AND PROGRAM

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the December 17, 2009 Office Action, reconsideration of the rejection and objections is respectfully requested in light of the following remarks.

Claims 1-9 are pending in this application. Claims 1, 4 and 5 are independent.

Reconsideration of the application is respectfully requested.

I. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1-9 under 35 U.S.C. §102(e) over U.S. Patent Publication No. 2009/0046179 to Aoyama et al. (Aoyama). This rejection is improper because Aoyama is not prior art.

Aoyama is a U.S. patent application that claims priority from PCT/JP03/10410 filed on August 18, 2003 in Japanese. The corresponding U.S. application (10/524,758) based on